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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LETRINH HOANG, D.O., PHYSICIANS FOR
INFORMED CONSENT, a not-for-profit
organization, and CHILDREN'S HEALTH
DEFENSE, CALIFORNIA CHAPTER, a
California Nonprofit Corporation

Plaintiffs,

v.

ROB BONTA, in his official capacity as Attorney
General of California and,
ERIKA CALDERON, in her official capacity as
Executive Officer of the Osteopathic Medical
Board of California ("OMBC"),

Defendants.

Case No: 2:22-cv-02147-DAD-AC

[proposed] ORDER GRANTING
PRELIMINARY INJUNCTION

Plaintiffs' Motion for Preliminary Injunction came for hearing before the Court on January 17, 2022. Having given full consideration to Plaintiffs' papers, evidence, relevant authorities, and Defendants' responses thereto, as well as the oral presentations of counsel; for good cause appearing and in accordance with Fed. R. Civ. P. 65(b), the Court finds that Plaintiffs have demonstrated they are likely to succeed on the merits, likely to suffer irreparable harm in the absence of preliminary relief,

1 that the balance of equities tips in Plaintiffs' favor, and that an injunction is in the public interest. *See*
2 *Winter v. Natural Res. Def. Council*, 555 U.S. 7, 20 (2008).

3 The Court makes the following findings:

- 4 1. Substantial and irreparable injuries to Plaintiffs' constitutional speech rights are
5 occurring and will continue to occur in the absence of immediate injunctive relief.
- 6 2. Plaintiff has no adequate remedy of law.
- 7 3. An injunction serves the public interest by upholding the Constitution. Denial of
8 preliminary relief would allow continued injury to Plaintiffs. Granting of preliminary
9 relief causes no injury to Defendants.

10 **IT IS HEREBY ORDERED** that Plaintiffs' Motion for Preliminary Injunction is **GRANTED**.
11 Defendants Attorney General Rob Bonta, and Erika Calderon, Executive Officer of the
12 Osteopathic Medical Board of California, and all employees who report directly or indirectly to
13 the Defendants, or act in concert with them are hereby preliminarily restrained and enjoined,
14 pending a final determination on the merits, from commencing or continuing any investigation
15 of California licensed osteopathic physicians on the grounds that such physicians have or might
16 have violated Bus. & Prof. Code Section 2270.

17 **IT IS FURTHER ORDERED THAT** Defendant Erika Calderon cause to be posted on
18 OMBC's web site that enforcement of Bus. & Prof. Code Section 2270 is being stayed pending
19 the final disposition of this action; and,

20 **IT IS FURTHER ORDERED THAT** Defendant Erika Calderon cause a notice to be sent to all
21 physicians who are currently under investigation for "misinformation" relating to COVID-19
22 that such investigations are abated pending the final disposition of this case.

23 The Court finds that no bond is necessary in this case because Defendants' compliance
24 with the preliminary injunction would create no risk of monetary loss.

25 **IT IS SO ORDERED**

26
27 _____
28 Dale A. Drozd
United States District Judge